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Attorneys for Defendant
Genworth Life Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BARBARA A. SWYHART, an individual,
 Plaintiff,

v.

GENWORTH LIFE INSURANCE CO. f/k/a
 GENERAL ELECTRIC CAPITAL
 ASSURANCE COMPANY, a Virginia
 Corporation, DOES I through X, ROE
 CORPORATIONS I through X,

Defendants.

Civil Action No.: 2:24-cv-00197-RFB-DJA

**STIPULATION AND ~~PROPOSED~~
 ORDER FOR EXTENSION OF TIME
 FOR DEFENDANT GENWORTH LIFE
 INSURANCE COMPANY TO RESPOND
 TO PLAINTIFF'S COMPLAINT**

(FIRST REQUEST)

Plaintiff Barbara A. Swyhart ("Swyhart") and Defendant Genworth Life Insurance Company ("Genworth") by and through their respective counsel of record, and pursuant to Local Rules IA 6-1, and 6-2, and Federal Rules of Civil Procedure ("FRCP") Rule 6, hereby stipulate and agree as follows:

WHEREAS, Swyhart filed her complaint on December 7, 2023 (the "Complaint");

WHEREAS, Swyhart served the Complaint on January 8, 2023;

WHEREAS, Genworth filed its Notice of Removal on January 29, 2024, which renders February 5, 2024, as Genworth's deadline to respond, pursuant to FRCP 81(c)(2)(C);

WHEREAS, Genworth has requested, and Swyhart has agreed to, an extension of time to file an answer or otherwise respond to the Complaint;

1 WHEREAS, Swyhart and Genworth have agreed that Genworth may file its answer or
2 otherwise respond to the Complaint on or before **Wednesday, March 6, 2024**;

3 WHEREAS, Swyhart and Genworth agree that the brief extension for Genworth's response
4 to the Complaint will not materially impact this matter, but will instead allow Genworth the requisite
5 time to obtain the documents and information necessary to substantively respond to the Complaint;

6 WHEREAS, FRCP Rule 6(b) requires Court approval of a request for an extension of time,
7 provided good cause showing and, therefore, Swyhart and Genworth collectively request the Court
8 approve the stipulation, and HEREBY STIPULATE AND AGREE as set forth below:

- 9 a. This is the Parties' first stipulation for an extension of time to respond to the Complaint;
10 b. The Parties stipulate and agree that the deadline for Genworth to file an answer or
11 otherwise respond to the Complaint shall be extended to **March 6, 2024**; and
12 c. This stipulation is made in god faith and not made for purposes of delay.

13 IT IS SO STIPULATED

14
15 **THORNDAL ARMSTRONG DELK
BALKENBUSH & EISINGER, PC**

16 By: /s/ Kevin R. Diamond
17 Kevin R. Diamond (SBN 4967)

18 Attorneys for Plaintiff
19 *Barbara A. Swyhart*

DUANE MORRIS LLP

By: /s/ Dominica C. Anderson
Dominica C. Anderson (SBN 2988)

Attorneys for Defendant
Genworth Life Insurance Company

20 **IT IS SO ORDERED:**

21 
22 _____

UNITED STATES MAGISTRATE JUDGE

23 DATED: 2/5/2024
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